IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

TUESDAY, THE 5TH DECEMBER 2006 / 14TH AGRAHAYANA 1928

WP(C).No. 30773 of 2006(L)

PETITIONER:

KUZHITHURA GRAMA SEVA SANGHAM,
KUZHITHURA P.O., KARUNAGAPPALLY,
KOLLAM-690 542, REPRESENTED BY ITS
SECRETARY J. RAVIKUMAR.

BY ADV. SRI.M.V.BOSE
SRI.VINOD MADHAVAN
SMT.NISHA BOSE

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY
THE SECRETARY TO GOVERNMENT, GENERAL EDUCATION
DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE DIRECTOR OF PUBLIC INSTRUCTION
THIRUVANANTHAPURAM.

3. THE DISTRSICT COLLECTOR,
KOLLAM.

4. THE DEPUTY DIRECTOR IF EDUCATION,
KOLLAM.

5. THE DISTRICT EDUCATIONAL OFFICER,
KOLLAM.

6. PRESIDENT, DISTRICT PALNCHAYAT,
KOLLAM.

BY GOVT. PLEADER SMT. SHAKKEELA.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 05/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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WP.(C) No.30773 OF 2006

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Dated this the 5th day of December, 2006.

JUDGMENT

Case of the petitioner in brief is as follows:

It is an unregistered association constituted for the purpose of uplifting and welfare of the people of Tsunami afflicted areas in Alappat Grama Panchayat including that of Kuzhithura Government Fisheries Higher Secondary School. It is stated there are two Higher Secondary Schools already. Many people, who have lost houses in the disaster were rehabilitated. On account of the shifting of the houses itself there was dearth of students. While so, attempts were made to upgrade Azheeckal Government U.P.School as High School. It is further stated that against the proposed upgradation, petitioner has preferred Ext.P2. It is stated that there are already nine Schools. It is further stated that it is in violation of Chapter V of KER.

2. Heard learned Government Pleader also. Government Pleader on the basis of the instruction submits that there is no policy to open or upgrade any type of School in the State at present, and the Government had constituted a High Level Committee for recommending the

principles and guidelines to be followed in sanctioning new Schools upgrading and recognising existing Schools etc. and for giving NOC for CBSE/ICSE affiliated institutions as per Government Order dated 19.8.2006. It is further stated that a proposal received from the District Collector, Kollam for upgradation of Azheeckal U.P.School has already been forwarded to the DPI for necessary action at appropriate time and no decision has been taken by Government for upgradation of the School till date.

3. In such circumstances, I feel that the apprehension of the petitioner does not appear to be justified. All that is happened is the proposal forwarded by the District Collector has been fowarded to the DPI for action at the appropriate time.

Therefore the writ petition is disposed of directing that as and when the application for upgradation of Azheeckal U.P.School is being considered, the authority will take note of Ext.P2 also.

(K.M. JOSEPH, JUDGE)

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K.M.JOSEPH, JJ.

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W.A. No. OF

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JUDGMENT

Dated this the day of February, 2006.